

EXHIBIT A

PROPOSED NOTICE

_____, 2019

IMPORTANT NOTICE TO POTENTIAL CLASS MEMBERS

AUTHORIZED BY JUDGE _____ OF THE U.S. DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OHIO EASTERN DIVISION

TO: All current and former direct-report traffic control specialists employed by AWP, Inc. at any time between December 17, 2015 and the present.

RE: Your right to join a collective action seeking to recover alleged unpaid overtime compensation.

1. PURPOSE OF THIS NOTICE

This Notice informs you of a collective action that has been filed under the Fair Labor Standards Act ("FLSA"), advises you of your rights as a class member, and tells you how you can be included in the action. If you wish to be included in this collective action, you must sign and return the enclosed Consent Form as explained below.

2. DESCRIPTION OF THE ACTION

On December 17, 2018, this collective action was filed against Defendant AWP Inc., d/b/a Area Wide Protective ("AWP"), in the U.S. District Court for the Southern District of New York, Case No. 1:18-cv-11825; and transferred to the Northern District of Ohio, Case No. 5:19-cv-00648. The action was filed on behalf of named Plaintiffs Jack Kasiotis, Delano Anglin, and Shantel Ransom ("Plaintiffs"), as well as all other similarly-situated individuals.

Plaintiffs were employed by Defendant AWP as traffic control specialists. Plaintiffs allege that AWP violated the FLSA by failing to pay traffic control specialists all overtime compensation earned for hours worked over forty (40) each workweek, including time spent driving Defendant's vehicles to and from work sites, fueling vehicles, performing vehicle inspections, transporting other employees, and transporting tools and equipment.

Plaintiffs allege that they and all other similarly-situated individuals are entitled to recover from AWP: (a) unpaid overtime compensation; (b) liquidated damages; (c) attorneys' fees; and (d) costs under the FLSA. AWP has denied these charges and believes it has properly paid traffic control specialists.

The Court has not yet decided whether Plaintiffs or AWP are correct. The right to recover these wages for any Plaintiff has not been established and is not guaranteed or certain.

3. YOUR RIGHT TO PARTICIPATE IN THIS ACTION

Plaintiffs seek to sue not only for themselves, but also for other persons who are similarly situated. Plaintiffs allege that those are current and former individuals employed by AWP Inc. d/b/a Area Wide Protective as traffic control specialists between December 17, 2015 and the present, and who were allegedly not paid overtime compensation. If you fit this definition, you have the right to participate in this action.

4. HOW TO PARTICIPATE IN THIS ACTION

To join this collective action, you must sign and return the enclosed "Consent Form." You can return the Consent Form by: (a) signing it electronically (eSigning) via PDF; (b) mailing it to Plaintiffs' counsel in the self-addressed and postage-prepaid envelope included with this Notice; (c) faxing the form to Plaintiffs' counsel at 330-754-1430; (d) scanning the form and emailing it to Plaintiffs' counsel at cs@ohlaborlaw.com.

The signed Consent Form must be eSigned, postmarked, faxed, or emailed by 60 days from sending, 2019. It is important that you return the Consent Form as soon as possible because the time period for which you can seek payment for your unpaid wages will depend on when this form is filed with the Court. If you lose or misplace the enclosed Consent Form, or if you have any questions about filling out or returning the Consent Form, you may contact Plaintiffs' counsel listed in paragraph 8 of this Notice.

5. NO RETALIATION PERMITTED

The law prohibits AWP, or any of its agents or employees, to discharge you, or in any manner harass, discriminate or retaliate against you for taking part in this collective action.

6. EFFECT OF JOINING THIS ACTION

If you join this collective action, you will be bound by any judgment or settlement, whether favorable or unfavorable. If you join the lawsuit and the Court rules in favor of AWP, you will not be entitled to any relief.

By joining this action, you designate the named Representative Plaintiffs as your agents to make decisions on your behalf concerning the litigation, the method and manner of conducting this litigation, the entering of an agreement with Plaintiffs' counsel concerning fees and costs, the entering into a settlement agreement with AWP, and all other matters pertaining to this action. While this lawsuit is pending, you or a representative sample of employees may be required to participate in written discovery, appear for deposition, and/or appear for trial in the Northern District of Ohio.

The named Plaintiffs in this matter have entered into contingency fee agreements with Plaintiffs' counsel, which means that if there is no recovery, there will be no attorneys' fees or costs chargeable to you. If there is a recovery of wages, liquidated damages, and/or attorneys' fees and costs, Plaintiffs' counsel will be paid whatever attorneys' fees and costs the Court orders or approves as fair and reasonable. The fees and costs will either be subtracted from the total recovery obtained from AWP in the amount of thirty-three and one-third percent (33-1/3%) of your total recovery plus costs expended by Plaintiffs' counsel on your behalf, or they may be paid separately by AWP. If there is no recovery, Plaintiffs' counsel will not be paid for their work on this case.

7. NO LEGAL EFFECT OF NOT JOINING THIS ACTION

If you choose not to join this action, you will not be bound by any judgment, ruling, or settlement in this case, whether favorable or unfavorable. You will be free to file your own lawsuit, or you may choose to do nothing at all. If you choose not to join this lawsuit, the statute of limitations as to any claims you may have will continue to run until you file your own lawsuit.

8. YOUR LEGAL REPRESENTATION IF YOU JOIN

Robi J. Baishnab
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Hans A. Nilges
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Facsimile: (330) 754-1430
Email: hans@ohlaborlaw.com
sdraher@ohlaborlaw.com

9. AWP INC. D/B/A AREA WIDE PROTECTIVE IS REPRESENTED BY

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10. FURTHER INFORMATION

Further information about this Notice or the action may be obtained from Plaintiffs' counsel at (330) 470-4428.

THE COURT HAS TAKEN NO POSITION IN THIS CASE REGARDING THE MERITS OF PLAINTIFF'S CLAIMS OR OF AWP INC. D/B/A AREA WIDE PROTECTIVE'S DEFENSES.

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

JACK KASIOTIS, et al., on behalf of)	CASE NO. 5:19-cv-00648
themselves and all others similarly situated,)	
)	JUDGE [REDACTED]
)	
Plaintiffs,)	
)	
vs.)	
)	
AWP INC., D/B/A AREA WIDE)	
PROTECTIVE)	
)	
Defendant.)	
)	

CONSENT FORM

I hereby consent, agree, and opt-in to be a party Plaintiff in the above-captioned collective action. I agree to be represented by Nilges Draher LLC. I understand that by filing this consent, I will be bound by the terms of the Important Notice to Potential Class Members that I received with this form, and by the judgment of the Court on all issues in this case .

Signature:	_____	Date:	_____
Print Name:	_____	Phone:	_____
Street Address:	_____	Email:	_____
City, State, Zip:	_____		

eSign via PDF or return to:

Nilges Draher LLC, 7266 Portage Street N.W. | Suite D. | Massillon, Ohio 44646

Fax: (330) 754-1430

Email: cs@ohlaborlaw.com

Must be eSigned, postmarked, faxed, or emailed by 60 days from sending, 2019